



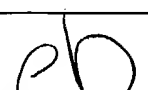
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,278	05/25/2001	Takayoshi Yamazaki	46156	1231
20736	7590	05/24/2004	EXAMINER	
MANELLI DENISON & SELTER 2000 M STREET NW SUITE 700 WASHINGTON, DC 20036-3307			MARKHAM, WESLEY D	
			ART UNIT	PAPER NUMBER
			1762	

DATE MAILED: 05/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Advisory Action</b>	Application No. 09/864,278	Applicant(s) YAMAZAKI ET AL.	
	Examiner Wesley D Markham	Art Unit 1762	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

THE REPLY FILED 11 May 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 5 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: see attached Office Action.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1-4.

Claim(s) withdrawn from consideration: 5.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

WDM



**DETAILED ACTION / ADVISORY ACTION**

***Response to Amendment***

1. Acknowledgement is made of the proposed amendment filed by the applicant on 5/11/2004, in which the applicant proposed to (1) amend the specification of the instant application to correct a typographical error, and (2) amend Claims 1 – 4. However, this amendment has not been entered because it raises new issues that would require further searching and consideration. For example, the proposed amendment to independent Claim 1 (from which Claims 2 – 4 depend) proposes to (1) require a process for determining a minimum amount of UV absorptive compound to be chemically bonded to a binder and/or a curing agent, as opposed to a process for producing a weather resistant coating film, (2) require that a film produced from the composition can keep a gloss retention of 80% or more for 2500 hours or more in an accelerated weathering test by a carbon sunshine weather-o-meter (black panel temperature 63° C, spray cycle: 12 min/60 min), (3) eliminate the requirement that the binder and the curing agent are “main constituents”, (4) eliminate the requirement of actually coating the coating material on an article, followed by drying, so that the thickness of the dry coated film becomes “d” in the given equation, and (5) require actually choosing a desired exposure time of 2500 hours or more, plugging the values of the desired exposure time, a molecular extinction coefficient, and the dry thickness of a coating film into a given expression to obtain the concentration of the UV absorptive compound in the dry coating film, and calculating an amount of UV absorptive compound which provides the desired

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concentration. These extensive amendments to independent Claim 1 significantly change the scope of the claim (as well as the scope of Claims 2 – 4, which depend from Claim 1), thereby requiring further search and consideration on the part of the examiner. As such, the amendment has not been entered.

### ***Response to Arguments***

2. Applicant's arguments filed on 5/11/2004 have been fully considered but they are not persuasive. Specifically, the applicant's arguments (including the "TECHNICAL REFERENCES" submitted therewith) are drawn to the claims as presented in the proposed amendment of 5/11/2004. Since this amendment has not been entered for the reasons set forth above in paragraph 1, the applicant's arguments are moot with respect to the presently pending claims. Therefore, Claims 1 – 4 stand rejected for the reasons set forth in the previous Office Action (i.e., the final Office Action mailed on 12/11/2003).

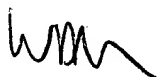
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wesley D Markham whose telephone number is (571) 272-1422. The examiner can normally be reached on Monday - Friday, 8:00 AM to 4:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive Beck can be reached on (571) 272-1415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



WDM

Wesley D Markham  
Examiner  
Art Unit 1762



**SHRIVE P. BECK**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 1700**